

to the paper appended is a genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition, the city administrator shall examine and from the voters registered ascertain whether or not the petition is signed by the requisite number of qualified electors. If necessary, the mayor and council shall allow him extra help for that purpose. He shall attach to such petition his certificate showing the result of such examination. If by the city administrator's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of such certificate. The city administrator shall, within ten days after such amendment, make like examination of the amended petition. If his certificate shall show the same to be insufficient, it shall be returned to the person filing the same, without prejudice however, to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the city administrator shall submit the same to the mayor and council without delay. If the petition shall be found to be sufficient, the mayor and council shall order and fix a date for holding the election, not less than thirty days or more than forty days from the date of the city administrator's certificate to the mayor and council that a sufficient petition is filed. The mayor and council shall make or cause to be made publication of notice and all arrangements for holding such election. The same shall be conducted, returned and the result thereof declared, in all respects as are other city elections. So far as applicable, except as otherwise provided in this Charter, nominations under this section shall be made as provided under section 16-14 by filing with the city clerk at least ten days prior to such special election, a statement of candidacy, accompanied by a petition signed by electors entitled to vote at such special election equal in number to at least ten percent of the entire vote for all candidates for the office of mayor at the last preceding general municipal election. The ballot to be used at such special election shall be as far as practicable in the same general form as the ballot to be used at a general election. (Code 1930, art. 11, § 42; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

Section 16-21. Same—Successor to serve unexpired term; incumbent eligible as candidate.

The successor of any officer removed by recall shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and, unless he requests otherwise in writing, the city clerk shall place his name on the official ballot without nomination. In any such removal election, the candidate receiving the highest number of votes shall be declared elected. At such election, if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the party who receives the highest number of votes should fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes, he shall continue in office. The method of removal shall be cumulative and additional to the methods heretofore provided by law. (Code 1930, art. 11, § 42; 1943, ch. 740, § 1.)

**Article III. Mayor.**

Section 16-22. Election.

The inhabitants of the City of Brunswick qualified to vote at any municipal election held therein shall on the first Tuesday in August, 1956, and in every fourth year thereafter, as

hereinbefore provided, elect by a ballot a person of known integrity, experience and sound judgment, at least twenty-one years of age, a citizen of the United States and for not less than one year next preceding the election a resident of the city, to be mayor of the City of Brunswick. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; 5-10-56, § 1; Char. Res. 4-11-72; Char. Res. 1-79, 8-7-79.) (**Char. Res. 06-06, 5-9-06.**)

Section 16-23. Term of office.

The term of mayor shall commence on the second Tuesday in August succeeding his election and continue for four years, and until his successor shall be elected and qualified. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; 5-10-56, § 1; Char. Res. 12-10-74.)

Section 16-24. To be executive officer of city; powers and duties generally.

The mayor, by virtue of his office, shall be the chief executive officer of the City of Brunswick. He shall see that the ordinances are fully and faithfully executed and observed. He shall exercise a general supervision over the various municipal activities and shall report to the council the condition of municipal affairs. It shall be his duty to make such suggestions as are proper for the wise, prudent and economical government and management of the city. The mayor shall preside at all meetings of the council; he may debate all questions before the council and, in case of a tie vote, except in passage of ordinances, he shall decide the same. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1.)

Section 16-25. Mayor pro tempore to be ex officio mayor during sickness or absence of mayor.

In case of sickness or necessary absence of the mayor, the mayor pro tempore shall be ex officio mayor of the City of Brunswick during the continuance of such sickness or necessary absence. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; 5-10-56, § 1.)

Section 16-26. Salary.

The mayor shall receive the monthly salary of eight hundred dollars (\$800.00) and no other compensation whatever; provided, that the mayor may be reimbursed for any expense actually incurred in prosecuting the official business of the municipality.

Such salary shall become effective on the second Tuesday in August, 2000. . (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; 1943, ch. 879, § 1; 1951, ch. 94, § 1; 3-10-67, § 1; Res. 1-84, 4-4-84; Res. 00-1, 9-01-99.) (See note (4)) (**Rev. 11/00**)

Section 16-27. Veto power.

The mayor shall have the power to veto any order, resolution or ordinance which shall in any way whatsoever effect the interest and welfare of the City of Brunswick. Such order, resolution or ordinance, when passed by the council, shall be sent to the mayor for his approval. The mayor may return the same with his approval or disapproval written thereon and signed by him to the meeting at which it was passed or he may have until the next regular meeting to return

the same. If returned with his disapproval, it shall not become a law unless subsequently at the meeting to which it was returned, or at the next regular meeting thereafter, it be passed by the unanimous vote of all the councilmen present and entitled to vote. If not returned at all to the next regular meeting of the council, it shall become a law notwithstanding the mayor's failure to approve.

No member of the council who is a stockholder in any corporation or any employee of any corporation, partnership or individual benefited by the passage of such order, resolution or ordinance shall be entitled to vote in favor of such order, resolution or ordinance after the same has been vetoed by the mayor. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1.)

Section 16-28. Concurrence with council in city business; signature of council minutes.

The concurrence of the mayor with a majority of the council shall be necessary for the transaction of corporate business and contracts made by the City of Brunswick, but it shall not be necessary to note in the minutes the approval of the mayor of each transaction therein stated or acted upon by the council. The city administrator shall present to the mayor the corrected and approved minutes of each meeting of the council and the mayor shall sign his name to such minutes to signify his approval of all the matters and transaction therein recorded, he shall note his disapproval at the foot of the minutes, and such disapproval shall be an effective veto of the action so disapproved of, unless such veto is overruled by the unanimous vote of the council present and entitled to vote. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/94)**

Section 16-29. Authority to suspend councilmen, officials and employees.

The mayor may suspend from office, subject to review and final action by the council, any official or employee appointed or employed by the mayor and council of Brunswick for any neglect of duty or improper conduct in his office. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; 1943, ch. 879, § 1; 1951, ch. 94, § 1.)

Section 16-30. Authority as to denial of licenses for certain shows or entertainment.

The mayor shall have the power to direct the city administrator not to issue a license for any show, circus, theatrical performance or other entertainment whenever, in his judgment, the production of such show or entertainment would tend to demoralize the community or create a disturbance or disorder or be against the best interests of the city; provided, however, that if the council should by a unanimous vote authorize the issuing of such license, then the same shall be issued by the administrator. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/94)**

Section 16-31. Appointment of certain city officials.

At the first regular meeting after each regular election for mayor and after the qualification of the newly elected members or as soon thereafter as may be convenient, the mayor, with the advice and consent of the council, shall appoint one person to be city

administrator, one person to be attorney and counsel to the mayor and council, one person to be director of public facilities, one person to be superintendent of public works, one person to be assistant superintendent of public works, one person to be chief of police, one person to be assistant chief of police, one firm to be city engineer, one person to be auditor, one person to be superintendent of water/wastewater, and one person to be assistant superintendent of water/wastewater, all of whom shall hold office for four years and until the qualification of their successors. The mayor, with the advice and consent of the council shall appoint such other officers and committees as may be required for the conduct and regulation of municipal affairs. The mayor shall have the sole power of appointments of all officers provided for in this section, subject to the confirmation by a majority of all the members elected to the council, which confirmation shall not be later than the next regular meeting after the receipt of such appointments. If the council fails to take action within the stated time, then the person nominated shall be to all intents and purposes such officer as if he had been confirmed by the city council.

If the council shall by the required vote and in the prescribed time refuse to confirm such nomination, the mayor shall, at the next regular meeting of the council send to it another name for such office. The duties of the city council and mayor shall continue to be as above prescribed until a confirmation is had or a failure to act by the council. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; Char. Res. 1974; Char. Res. 2-93, 7-14-93; Char. Res. 1-94, 11-93.) **(Rev. 9/94)**

#### Section 16-32. Filling of vacancies in certain city offices.

All vacancies occurring in the offices which the mayor has the power to fill, subject to the ratification or confirmation of the city council, shall be filled by the mayor temporarily until a qualified successor can be found. As soon as a qualified successor to fill the vacancy can be found the mayor shall present the successor's name to the council for confirmation at the next regular meeting. The mode and manner of procedure in such cases shall be the same as provided in this article for other appointments by the mayor and confirmation by the council. Any person appointed by the mayor to fill any vacancy in any office shall hold the same until his successor has been confirmed by the council; during such temporary appointment the title of the person so appointed shall be preceded by the word "acting." (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; Char. Res. 81-1, 4-2-81.)

#### Section 16-33. Oath of office.

Before entering upon his office, the mayor shall qualify by taking the oath of office before the clerk of the circuit court of the county. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1.)

#### Section 16-34. Administration of oath of office to councilmembers and certain appointed officials.

The councilmembers and all persons appointed by the mayor and confirmed by the council shall, before entering upon the discharge of their respective duties, qualify by taking before the mayor an oath to faithfully perform the duties of their respective offices and that they will support the laws and Constitution of the United States and of this state. A test book shall be

kept by the mayor which shall be signed at the time of taking such oath by each official. After the qualifications, the mayor shall issue to each official a commission signed by himself, with the corporate seal attached. (Code 1930, art. 11, § 35; 1943, ch. 740, § 1; Char. Res. 2-93, 7-14-93.) **(Rev. 9/93)**

#### **Article IV. City Council.**

##### Section 16-35. Membership: qualifications. (See note (2))

The council shall consist of six members at large who shall hold office for four years or until the qualifications of the successors. Each shall be at least twenty-one years of age, a citizen of the United States, and for one year next preceding his election a resident of the city. (Code 1930, art. 11, § 36; 1943, ch. 740, § 1; 1943, ch. 878, § 1; 1951, ch. 94, § 1; 5-10-56, § 1; Char. Res. 4-11-72; Char. Res. 2-93, 7-14-93.) (Rev. 9/93) **(Char. Res. 06-06, 5-9-06.)**

##### Section 16-36. Salary of councilmembers.

Each member of the city council shall receive a monthly salary of Three Hundred Dollars (\$300.00) and no other compensation whatever; provided, that the members of the council may be reimbursed for any expenses actually incurred in prosecuting the official business of the municipality.

Such salary shall become effective on the second Tuesday in August, 2000, as to those individual Council members who take office on that date, and thereafter as to any Council member who takes office for a new term or is elected to fill any unexpired term of a former Council member. (Code 1930, art. 11, § 36; 1943, ch. 740, § 1; 1943, ch. 878, § 1; 1951, ch. 94, § 1; 5-10-56, § 1; 3-10-67, § 1; Res. 2-84, 4-4-84; Char. Res. 2-93, 7-14-93; Res. 00-2, 9-01-99.) (See note (5)) **(Rev. 11/00)**

##### Section 16-37. Meetings.

The members-elect of the city council shall meet on the second Tuesday in August succeeding their election and shall take before the mayor the oath of office required by this chapter, and they shall meet on the second Tuesday in every month thereafter or as often as may be necessary to discharge the duties of their office. (Code 1930, art. 11, § 36; 1943, ch. 740, § 1; Char. Res. 12-10-74.)

##### Section 16-38. Mayor pro tempore; special meetings; quorum; rules and bylaws of the Council.

The city council shall elect one of their number mayor pro tempore to serve at the pleasure of the council until his successor is elected who, in the absence of the mayor, shall be clothed with all the powers and authority of the mayor. The mayor, or in his absence the mayor pro tempore, or any four members of the council, may call such meetings of the council, from time to time, as they may deem necessary, due notice of which shall be given. When the call is made by four members, it shall be in writing and signed by them. A majority of the council shall constitute a quorum for the transaction of business, but no ordinance shall be adopted without the